

RECEIVED
CENTRAL FAX CENTER

FEB 08 2011

PATENT
Patent App. Ser. No. 10/562,083
The Eclipse Group Docket No. HI09037USU (P01040US)

REMARKS

I. INTRODUCTION

Claims 1-8 and 12-18, and 22-24 are pending in this present application. All pending claims stand rejected as of the mailing date of the December 8, 2010 Final Office Action. In the December 8, 2010 Final Office Action, the Examiner:

1. Rejected claims 1-3 and 5 under 35 U.S.C. § 102(b) as being anticipated by *Ohler et al.* (U.S. Patent No. 6,424,910);
2. Rejected claims 4, 6-8 and 12 under 35 U.S.C. § 103(a) as being unpatentable over *Ohler et al.* (U.S. Patent No. 6,424,910) in view of *Saiki* (U.S. Patent No. 7,058,507); and
3. Rejected claims 4, 6-8, 12-18, and 22-24 under 35 U.S.C. § 103(a) as being unpatentable over *Ohler et al.* (U.S. Patent No. 6,424,910) in view of *Saiki* (U.S. Patent No. 7,058,507 and *Zuber et al.* (U.S. Patent Application No. US 2002/0077746) and *Maruyama et al.* (a translated copy of Japanese document JP 10-281782 A).

Applicant has amended claims 13, 15, and 17. Claim 25 has been added. No new matter has been introduced by these amendments. Claims 1-8, 12, 14, 16, and 18 have been cancelled in this response.

II. REJECTIONS OF CLAIMS 1-8 AND 12

In order to move the pending claim set to speedy allowance, Claims 1-8 and 12 have been cancelled.

III. REJECTIONS OF CLAIMS 13-18 AND 22-24

Independent claims 13 and 22 and their dependent claims were rejected under 35 U.S.C. § 103(a) as being unpatentable over *Ohler et al.* (U.S. Patent No. 6,424,910 "*Ohler*") in view of *Saiki* (U.S. Patent No. 7,058,507), *Zuber et al.* (U.S. Patent Application No. U.S. 2002/0077746 "*Zuber*") and *Maruyama et al.* (a translated copy of Japanese document JP 10-281782 A "*Maruyama*").

PATENT
Patent App. Ser. No. 10/562,083
The Eclipse Group Docket No. HI09037USU (P01040US)

It is perhaps best to start with claim 22 which is set out for the convenience of the Office.

22. (previously presented) A method comprising:

receiving, from a first navigation device configured to receive and decode information to determine a current position of the first navigation device, a first set of positional data including the current position and a **destination for a first user** associated with the first navigation device;

receiving, from a second navigation device configured to receive and decode information to determine a current position of the second navigation device, a second set of positional data including a current position and a **destination for a second user** associated with the second navigation device;

identifying a rendezvous location based at least in part upon the first positional data and the second positional data; and

communicating at least the rendezvous location to the first user via the first navigation device and to the second user via the second navigation device.

Note that claim 22 looks at existing destinations for the first and second user and then picks a rendezvous point in light of those destinations. See paragraph [0067] of the present application. This limitation seems to have missed the attention of the Office as the December 8, 2010 Final-Office Action does not address this limitation. Thus, for at least this reason, we ask that the Office either allow claim 22 and its dependent claims or issue a new Office Action that addresses this limitation.

Claim 22 was rejected without being specifically addressed but the rejection of claim 13 relies on *Maruyama*. *Maruyama* addresses a way for two users to get to a common destination point from two different departure points, much like *Ohler*. While *Maruyama* has a mechanism to detect where the route from the first departure point to the common destination point joins the route from the second departure point to the common destination point, it does not seem to

PATENT
Patent App. Ser. No. 10/562,083
The Eclipse Group Docket No. HI09037USU (P01040US)

address a need to locate a desirable rendezvous point for a first user and a second user that have different destinations after the rendezvous.

Thus, claim 22 appears allowable over the art of record. Dependent claims 23 and 24 are allowable for at least the reasons that claim 22 is allowable.

Claim 13 has been amended to highlight this use of two destination points in order to determine a rendezvous point. This puts claim 13 into better alignment with previously presented claim 22. The use of two or more destination points for two or more navigation devices is discussed in paragraphs [0064]-[0067] of the present application as originally filed. Thus, the modification of claim 13 to better correspond to previously presented claim 22 does not add new matter. Claim 13 and the claims that depend from claim 13 are allowable over the art of record for at least the reasons that claim 22 is allowable.

IV. DISCUSSION OF NEW CLAIM

Claim 25 adds a dependent claim to amended claim 13 to note that the navigation host device may actually calculate not just the rendezvous point but the routing to the rendezvous point. Alternatively, the route to the rendezvous point may be handled by the first mobile navigation device. Claim 25 is supported by paragraph [0065] and thus does not add new matter.

PATENT

Patent App. Ser. No. 10/562,083

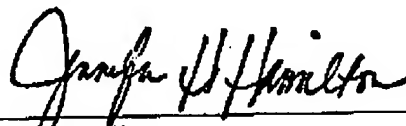
The Eclipse Group Docket No. HI09037USU (P01040US)

CONCLUSION

Favorable consideration is respectfully requested in view of the foregoing amendments and remarks.

The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment, to our Deposit Account No. 50-2542.

Respectfully submitted,

Dated: 2/8/11

Jennifer H. Hamilton
The Eclipse Group LLP
6345 Balboa Blvd., Suite 325
Encino, CA 91316
(818) 488-8141 Telephone
(818) 332-4205 Fax
jbh@eclipsegrp.com

Customer No.: 34408

PATENT

Patent App. Ser. No. 10/562,083

The Eclipse Group Docket No. HI09037USU (P01040US)

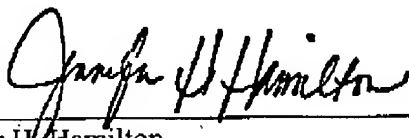
CONCLUSION

Favorable consideration is respectfully requested in view of the foregoing amendments and remarks.

The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment, to our Deposit Account No. 50-2542.

Respectfully submitted,

Dated: 2/8/11



Jennifer H. Hamilton
The Eclipse Group LLP
6345 Balboa Blvd., Suite 325
Encino, CA 91316
(818) 488-8141 Telephone
(818) 332-4205 Fax
jhh@eclipsegrp.com

Customer No.: 34408